

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

<b>ROBERT PENDERGRASS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 4:21-CV-1079 PLC</b>
	)	
<b>UNITED FIRE and CASUALTY</b>	)	
<b>COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

**MEMORANDUM AND ORDER**

This matter is before the Court on a motion to quash subpoena duces tecum [ECF No. 36] filed by non-party Menard, Inc. (Menards). On May 13, 2022, Thomas J. Plunkert, the designated neutral, filed an Alternative Dispute Resolution Compliance Report stating the parties participated in ADR and reached a settlement. [ECF No. 35]

Under Federal Rule of Civil Procedure 45(d), Menards asks this Court to quash a subpoena Defendant served on Menards that directs it to produce certain specified documents at Defendant's counsel's law office in Kansas City, Missouri, at 2:00 p.m. on May 27, 2022. [ECF No. 36-1] Defendant does not oppose Menards' motion. In light of the parties' anticipated settlement and Defendant's lack of objection to the motion,

**IT IS HEREBY ORDERED** that Menard's motion to quash [ECF No. 36] is **GRANTED**.



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PATRICIA L. COHEN  
UNITED STATES MAGISTRATE JUDGE

Dated this 26th day of May, 2022.